

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works, Parks and Lands Division

DATE: June 21, 2022

REQUESTED ACTION: Authorize the County Manager to execute an underground storm water easement to Specialized Housing, Inc. across Parcel No. 188317000.

 X Consent Hearing County Manager

BACKGROUND

Specialized Housing, Inc. requested that Clark County sell to them an easement on county-owned property located within Felida Community Park. The easement will support a senior living development adjacent to the park. Felida Community Park was purchased using Recreation and Conservation Office (RCO) funds. A request was made for approval of an exception to conversion in March 2022, and conditional approval was received May 11, 2022.

An independent appraiser determined the fair market value of the easement at \$13,300. Staff allocated \$3,260 to cover the costs of administrative and professional expenses for a total sum of \$16,560. The entire sum will be returned to the Parks Fund.

Parks and Lands Division staff recommends selling the sanitary sewer easement to Specialized Housing, Inc for \$16,560.

COUNCIL POLICY IMPLICATIONS

None. It has been the County's policy to accommodate utilities whenever possible and the agreement supports Council's policy of increased partnerships in the community. This easement will benefit the community and not impact the intended use of the property.

ADMINISTRATIVE POLICY IMPLICATIONS

Public Works Parks & Lands staff has confirmed that the proposed easement will not conflict with existing infrastructure constructed on the park property, with the exception of the period of time during which the storm water line is installed.

COMMUNITY OUTREACH

None. The county was contacted by the adjacent property owner expressing an interest in a storm water easement for the development of their property.

PW22-135

REVIEWED: CA

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS

Parks Fund Dollar Amount	\$16,560
Account	Parks Fund
Company Name	Specialized Housing, Inc.

DISTRIBUTION:

Council staff will post all staff reports to the web. <https://www.clark.wa.gov/council-meetings>

Real Property Services needs original wet signatures for recording. Please contact Liz Apostolis at extension 4975 for pickup.

ATTACHMENTS: (1) Resolution; (2) Storm Water Easement; (3) RCO approval letter; and (4) Map

Rocky Houston

Rocky Houston
Parks and Lands Division Manager

Sherry Villafane

Sherry Villafane
Department Finance Manager

Eva Haney

Eva Haney, CGFM
Public Works Director

Primary Staff: Rocky Houston, ext. 1676

APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: _____

SR# _____

PW22-135

REVIEWED: *Cara Anthony*

CLARK COUNTY, WASHINGTON
RESOLUTION NO. _____

IN THE MATTER OF EXECUTION OF STORM WATER EASEMENT FROM CLARK COUNTY

WHEREAS, the County Council, Clark County, WA is in regular session this _____ day of _____, 2022, and

WHEREAS, it appears in the best interest of Clark County that the following be executed:

Document

Storm Water Easement

Data

FROM:

Clark County, Washington

TO:

Specialized Housing Inc.

CONSIDERATION:

\$16,560

NOW THEREFORE, IT IS HEREBY RESOLVED that the hereinabove mentioned document(s) be executed by the County Manager and then recorded and filed.

IT IS FURTHER RESOLVED that copies of this resolution be filed with the County Auditor, County Engineer, and in the records of the County Council.

Attest:

Clerk to the Council

By: _____
Karen Dill Bowerman, Chair

Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

By: _____
Temple Lentz, Councilor

By: William Richardson

By: _____
Julie Olson, Councilor

By: _____
Gary Medvigy, Councilor

By: _____
Richard Rylander, Councilor

After recording return to:
Specialized Housing Incorporated
4140 SW 109th Avenue
Beaverton, OR 97005

Document Title: Storm Water Easement
Reference Number of Related Documents:
Grantors: Clark County, Washington
Grantee: Specialized Housing Incorporated
Legal Description: (Felida Park) #125 Christian Powley DLC 7.16A
Additional Legal Description is attached as Exhibit "A"
Serial #: 188317-000

STORM WATER EASEMENT

THE GRANTOR, **CLARK COUNTY**, a political subdivision of the State of **Washington**, for and in consideration of Sixteen Thousand Five Hundred Sixty and No/100 (\$16,560.00) Dollars, conveys and grants unto **SPECIALIZED HOUSING INCORPORATED**, an **Oregon non-profit corporation**, its agents, successors and assigns, an easement over, under and across the land as described per Exhibit "A" & "A-1" to-wit:

**SEE EXHIBIT "A" & "B" LEGAL DESCRIPTION ATTACHED HERETO, WHICH,
BY THIS REFERENCE, IS INCORPORATED HEREIN**

This easement is granted for the purpose of constructing, installing, reconstructing, repairing, operating and maintaining a storm water system the grantee, its agents and contractors shall have the right to enter upon the premises for such purposes. The easement area herein conveyed shall be restored to its present condition. Said restoration to be commenced immediately upon completion of the project.

The Grantor, covenants for themselves and all successors and assigns that it will not build or place, or allow to be placed, any structure of any kind over the easement area granted herein without prior notification to the Grantee.

The terms and provisions of this Storm Water Easement shall be binding upon the Grantee's heirs, legal representatives, successors, nominees and assigns, and shall run with the land.

STORM WATER EASEMENT

Dated the _____ day of _____ 2022.

Clark County, Washington

Kathleen Otto, County Manager

STATE OF WASHINGTON

COUNTY OF CLARK

I certify that I know or have satisfactory evidence that Kathleen Otto signed this instrument on oath stated that she is authorized to execute the instrument and acknowledged it as the Clark County Manager, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated _____

Notary Public in and for the State of WA
Residing at
My commission expires:



Exhibit 'A'

Storm Sewer Easement
Legal Description

BEING a 15.00 foot wide storm sewer easement located in the Christian Powley Donation Land Claim, and in the Southwest Quarter of the Southeast Quarter of Section 29, Township 3 North, Range 1 East, Willamette Meridian, Clark County, Washington and being 7.50 feet on each side of the following described centerline:

COMMENCING FROM a 1/2" iron rod with a yellow plastic cap at the intersection of NW 122nd Street and NW 38th Avenue centerlines;

Thence North 89°06'11" West, along the centerline of NW 122nd Street, 4.78 feet to a point;

Thence North 00°53'49", leaving said centerline, 20.00 feet to a point on the northerly right-of-way line of NW 122nd Street, said point also being the **TRUE POINT OF BEGINNING** of the herein described centerline;

Thence North 1°50'04" East 303.85 feet to a point;

Thence North 36°22'16" East 78.69 feet to a point;

Thence North 86°32'32" East 11.82 feet to a point on the east line of the Christian Powley Donation Land Claim and the **TERMINUS** of said easement centerline.

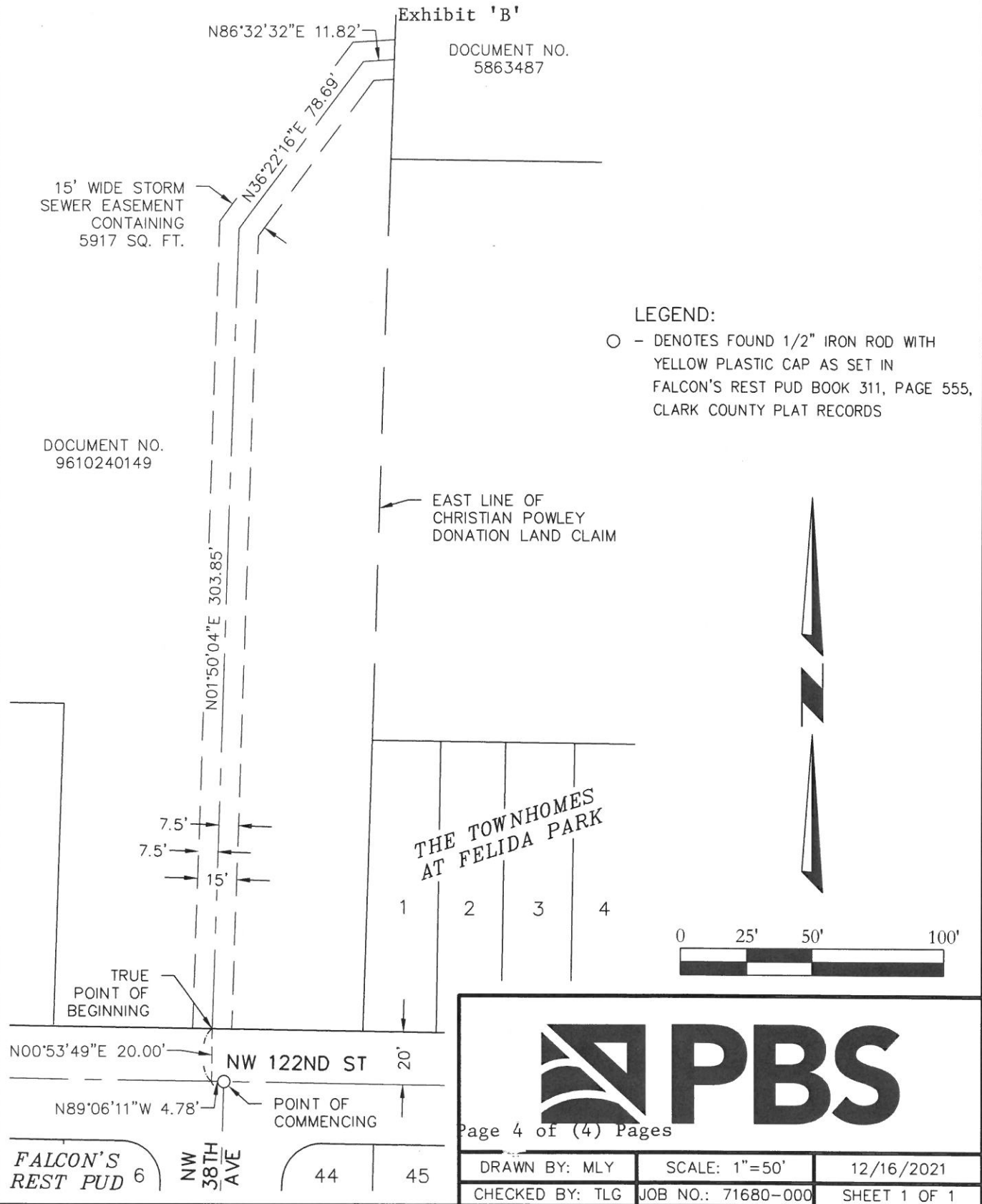
Contains 5,917 square feet, more or less.

See Exhibit Map attached hereto.



EXHIBIT MAP

STORM SEWER EASEMENT



Natural Resources Building
P.O. Box 40917
Olympia, WA 98504-0917

1111 Washington St. S.E.
Olympia, WA 98501



STATE OF WASHINGTON
RECREATION AND CONSERVATION OFFICE

(360) 902-3000
E-mail: info@rco.wa.gov
Web site: www.rco.wa.gov

May 11, 2022

Rocky Houston
Division Manager
Clark County Parks and Lands
4700 NE 78th Street
Vancouver, WA 98665

RE: Request for Approval of an Exception to Conversion
Felida Park, RCO #00-1498

Dear Mr. Houston:

The Recreation and Conservation Office (RCO) has completed review of the request for an exception to conversion for an underground stormwater easement. As noted in the request, the easement is for an underground stormwater utility line that will serve the adjacent senior housing project.

This approval is conditioned on the following:

- The exception will have no permanent impact to the intended purpose, use, and function of the grant-funded project area.
- The project area impacted will be restored to its original or better surface condition upon installation.

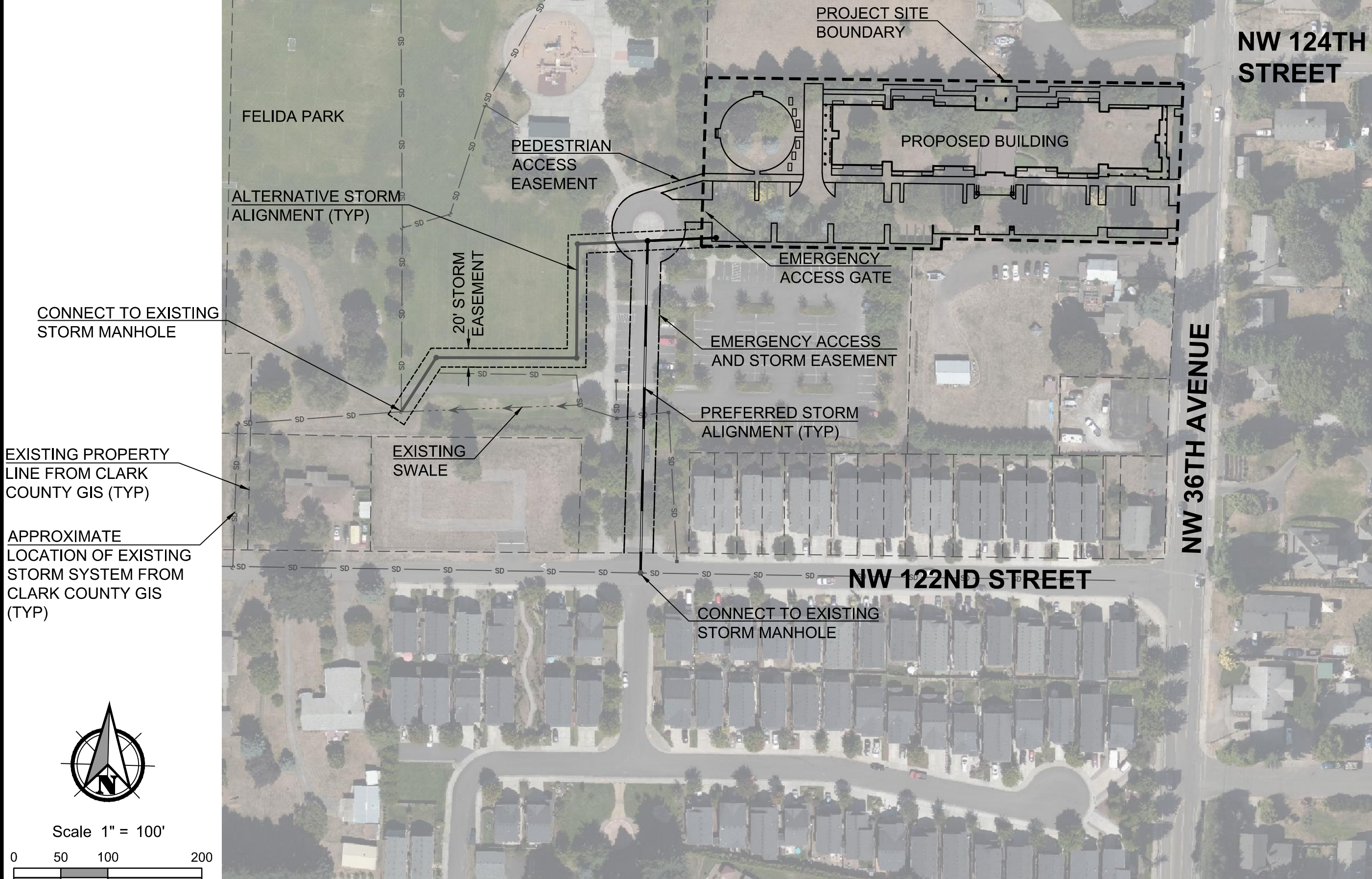
If conditions change regarding the approved exception, please notify Jesse Sims, outdoor grants manager immediately so that a determination can be made on the effect on the project area. If you have any questions, Jesse can be reached at (360) 867-8438 and jesse.sims@rco.wa.gov.

Sincerely,

A handwritten signature in black ink that reads "Myra Barker".

Myra Barker
Compliance Specialist

Filename: L:\Projects\71000\71680\000\Civil\CAD\Working\Exhibits\71680.000_Stormwater Easement Exhibit.dwg Layout Tab: LAYOUT1 User: Allison Wilson CAD Plot Date/Time: 5/13/2021 8:57:07 AM



Full Size Sheet Format Is 11x17; If Printed Size Is Not 11x17, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.

EASEMENT EXHIBIT

FELIDA SENIOR HOUSING

FELIDA PARK SENIOR HOUSING - SPECIALIZED HOUSING INC.

DESIGNED:
ANW

CHECKED:
EAP

MAY 2021
71680.000

SHEET ID

EX1

PBS

PBS Engineering and Environmental Inc.
314 W 15th Street
Vancouver, WA 98660
360.695.3488
pbsusa.com